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## FAX COVER SHEET

**TO:** United States Patent Office  
Art Unit 2194  
  
Supervisor Ms. An

**Fax#:** (571) 273-8300

**FROM:** Katharina Wang Schuster  
Sprinkle IP Law Group  
Customer No. 44654

**Client Matter #:** VIGN1370-1

**DATE:** June 4, 2007

**# of Pages:** 2

**RE:** Applicant Initiated Interview  
Request Form

**Serial No.** 10/036,980

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PTOL-413A (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

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Application No.: 10/036,980

Examiner: Qing-Yuan Wu

First Named Applicant: Eric R. White

Art Unit: 2194

Status of Application: Pending

## Tentative Participants:

(1) Examiner Qing-Yuan Wu

(2) Supervisor Ms. An or Mr. Thomson

(3) Applicant Paul Loomis

(4) Attorney Katharina Wang Schuster

Proposed Date of Interview: 06/06/2007 (Wednesday)

Proposed Time: 11AM or 3PM EST (9AM or 1PM CST)

## Type of Interview Requested:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☐ YES☒ NO

If yes, provide brief description:

## Issues to be Discussed

Issues (Rej., Obj., etc.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) 101 Rej.	1-19 and 27	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) 103 Rej.	1-27	Various	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

1) Regarding the 35 USC 101 rejection, Applicant asserts that embodiments of the invention as claimed in claims 1-19 and 27 have a specific and substantial utility at least with respect to the public API and that, at the time the invention was made and in view of Applicant's disclosure, one of ordinary skill in the art would have readily recognized that specific and substantial utility.

2) Regarding the 35 USC 103 rejection, Applicant maintains that a *prima facie* case of obviousness has not been established against claims 1-27. As noted in a recent Supreme Court decision *KSR Int'l Co. v. Teleflex, Inc.*, No. 04-1350 (U.S. Apr. 30, 2007), it is important to identify an apparent reason that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements in the manner claimed. Applicant submits that no such apparent reason has been identified.

An interview was conducted on the above-identified application on \_\_\_\_\_. **NOTE:** This form should be completed by applicant and submitted to the Examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(h)) as soon as possible.

Applicant/Applicant's Representative Signature

Katharina W. Schuster

Typed/Printed Name of Applicant or Representative

50,000

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.